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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-THIRD SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

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* Documents E/CN.4/1997/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1997/L.11 and addenda.

XIV. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

1. The Commission considered agenda item 14 concurrently with item 15 (see chap. XV) at its 12th to 13th meetings, on 18 March, and at its 36th and 37th meetings, on 3 April 1997. 1/

2. For the documents issued under agenda item 14, see annex .. to the present report. For a list of resolutions and decisions adopted by the Commission, see annex .. to the present report.

3. In the general debate on agenda item 14, statements 2/ were made by the following members of the Commission: Belarus (13th), Brazil (13th), China (12th), India (13th), Ireland (13th), Italy (12th), Nepal (12th), Philippines (12th), Russian Federation (13th), Uruguay (12th).

4. The Commission heard statements by the observers for Norway (13th), Slovakia (12th), Spain (13th).

5. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (12th), Amnesty International (12th), Himalayan Research and Cultural Foundation (13th), Indian Council of Education (12th), International Commission of Jurists (12th), International Educational Development, Inc. (12th), International Organization for the Development of Freedom of Education (12th), Transnational Radical Party (12th), Women's International League for Peace and Freedom (12th), World University Service (12th).

Status of the International Covenants on Human Rights

6. At the 36th meeting, on 3 April 1997, the observer for Norway introduced draft decision E/CN.4/1997/L.18, entitled "Status of the International Covenants on Human Rights", sponsored by Norway. Denmark, Equatorial Guinea, Finland, Romania, Ukraine and Venezuela subsequently joined the sponsor.

7. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1997/...

Question of the death penalty

8. At the same meeting, the representative of Italy introduced draft resolution E/CN.4/1997/L.20, sponsored by Angola, Australia, Austria, Belgium, Bolivia, Brazil, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, the Marshall Islands, Nepal,

the Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Uruguay and Venezuela. Chile and Lithuania subsequently joined the sponsors. Angola, Nepal and Papua New Guinea subsequently withdrew as sponsors.

9. At the same meeting, the representative of Malaysia introduced amendments proposed to draft resolution E/CN.4/1997/L.20 contained in document E/CN.4/1997/L.35, sponsored by Bangladesh, Egypt, Indonesia, Iran (Islamic Republic of), the Lybian Arab Jamahiriya, Malaysia, Nigeria, Papua New Guinea, Republic of Korea, Saudi Arabia, Singapore, Thailand and the United Arab Emirates. Bhutan, Brunei Darussalam, Pakistan and the Syrian Arab Republic subsequently joined the sponsors.

10. Statements in connection with the proposed amendments contained in document E/CN.4/1997/L.35 were made by the representatives of Brazil and Italy.

11. In connection with draft resolution E/CN.4/1997/L.20 and the proposed amendments contained in document E/CN.4/1997/L.35, statements in explanation of vote before the vote were made by the representatives of Algeria, Brazil, Canada, Colombia and India.

12. In connection with draft resolution E/CN.4/1997/L.20, statements in explanation of vote before the vote were made by the representatives of Bangladesh, Egypt, Japan, Nepal, the Republic of Korea and the United States of America.

13. In connection with the draft amendments contained in document E/CN.4/1997/L.35, statements in explanation of vote before the vote were made by the representatives of Chile, China, Denmark and Ireland.

14. At the 37th meeting, on 3 April 1997, the Commission resumed consideration of draft resolution E/CN.4/1997/L.20 and the proposed amendments to the draft contained in document E/CN.4/1997/L.35.

15. At that meeting, in connection with draft resolution E/CN.4/1997/L.20, a statement in explanation of vote before the vote was made by the representative of Malaysia.

16. At the request of the representative of Malaysia, roll-call votes were taken on each of the seven paragraphs contained in document E/CN.4/1997/L.35.

17. Paragraph 1 of document E/CN.4/1997/L.35 was rejected by 17 votes to 24, with 11 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Sri Lanka, Uganda, United States of America, Zimbabwe.

Against: Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, South Africa, Ukraine, Uruguay.

Abstaining: Angola, Benin, Cape Verde, El Salvador, Ethiopia, Gabon, Guinea, Madagascar, Russian Federation, United Kingdom of Great Britain and Northern Ireland, Zaire.

18. Paragraph 2 of document E/CN.4/1997/L.35 was rejected by 19 votes to 27, with 5 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Benin, Bhutan, China, Cuba, Egypt, Guinea, India, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Sri Lanka, Uganda, United States of America, Zimbabwe.

Against: Angola, Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

Abstaining: El Salvador, Ethiopia, Gabon, Madagascar, Zaire.

19. Paragraph 3 of document E/CN.4/1997/L.35 was rejected by 17 votes to 23, with 12 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Russian Federation, Sri Lanka, Uganda, Zimbabwe.

Against: Angola, Argentina, Austria, Belarus, Brazil, Canada, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mozambique, Nepal, Netherlands, Nicaragua, South Africa, Ukraine, Uruguay.

Abstaining: Benin, Bulgaria, Cape Verde, El Salvador, Ethiopia, Gabon, Guinea, Madagascar, Mexico, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

20. Paragraph 4 of document E/CN.4/1997/L.35 was rejected by 15 votes to 27, with 10 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Sri Lanka, Zimbabwe.

Against: Angola, Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, Russian Federation, South Africa, Ukraine, Uruguay.

Abstaining: Benin, El Salvador, Ethiopia, Gabon, Guinea, Madagascar, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

21. Paragraph 5 of document E/CN.4/1997/L.35 was rejected by 14 votes to 26, with 12 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Zimbabwe.

Against: Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, Russian Federation, South Africa, Ukraine, Uruguay.

Abstaining: Angola, Benin, El Salvador, Ethiopia, Gabon, Guinea, Madagascar, Sri Lanka, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

22. Paragraph 6 of document E/CN.4/1997/L.35 was rejected by 13 votes to 25, with 14 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Zimbabwe.

Against: Angola, Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Nepal, Netherlands, Nicaragua, Russian Federation, South Africa, Ukraine, Uruguay.

Abstaining: Benin, Cape Verde, El Salvador, Ethiopia, Gabon, Guinea, India, Madagascar, Mozambique, Sri Lanka, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

23. Paragraph 7 of document E/CN.4/1997/L.35 was rejected by 13 votes to 27, with 12 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Japan, Malaysia, Pakistan, Philippines, Republic of Korea.

Against: Angola, Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, Russian Federation, South Africa, Ukraine, Uruguay.

Abstaining: Benin, El Salvador, Ethiopia, Gabon, Guinea, Madagascar, Sri Lanka, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

24. At the request of the representative of Malaysia, a roll-call vote was taken on draft resolution E/CN.4/1997/L.20, which was adopted by 27 votes to 11, with 14 abstentions. The voting was as follows:

In favour: Angola, Argentina, Austria, Belarus, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Czech Republic, Denmark, Dominican Republic, Ecuador, France, Germany, Ireland, Italy, Mexico, Mozambique, Nepal, Netherlands, Nicaragua, Russian Federation, South Africa, Ukraine, Uruguay.

Against: Algeria, Bangladesh, Bhutan, China, Egypt, Indonesia, Japan, Malaysia, Pakistan, Republic of Korea, United States of America.

Abstaining: Benin, Cuba, El Salvador, Ethiopia, Gabon, Guinea, India, Madagascar, Philippines, Sri Lanka, Uganda, United Kingdom of Great Britain and Northern Ireland, Zaire, Zimbabwe.

25. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/12.